



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3727

Introduced 2/10/2012, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

See Index

Amends the Swimming Facility Act. Makes changes to certain definitions. Makes changes to provisions concerning licenses to operate, permits for construction or major alteration, license renewal, and payment of fees. Sets forth provisions concerning plan certification and plan resubmittal. Establishes various fee structures for licensure and inspection. Makes changes in provisions concerning rules, violations at facilities, records, and fees for copies of records held by the Department of Public Health. Includes the Attorney General in the list of entities that shall enforce a closing order. Provides that violations of the Act shall be punishable by a fine of \$1,000 for each day the violation exists in addition to civil penalties or up to 6 months imprisonment or both a fine and imprisonment. Provides that the Department of Public Health may impose administrative civil penalties for violations of the Act by any person and that the State's Attorney of the county in which the violation occurred or the Attorney General shall bring an action for collection. Makes changes in provisions concerning the applicability of the Act. Makes changes in provisions concerning the adoption of ordinances. Sets forth provisions concerning the suspension and modification of prequalifications and licenses. Provides that any person seeking to perform construction, installation, modification, or repair of a swimming facility must be licensed by the Department of Public Health. Makes other changes. Effective January 1, 2013.

LRB097 14566 DRJ 65183 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning health regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Swimming Facility Act is amended by changing
5 Sections 2, 3, 3.01, 3.02, 3.05, 3.10, 3.12, 3.13, 4, 5, 6, 8,
6 9, 11, 13, 14, 15.1, 17, 20, 21, 22, 23, and 27 and by adding
7 Sections 3.14, 3.15, 3.16, 3.17, 3.18, 3.19, 3.20, 3.21, 5.1,
8 5.2, 8.1, 8.2, 8.3, 22.2, 30, 31, and 32 as follows:

9 (210 ILCS 125/2) (from Ch. 111 1/2, par. 1202)

10 Sec. 2. Legislative purpose. It is found that there exists,
11 and may in the future exist, within the State of Illinois
12 public swimming facilities, including swimming pools, spas,
13 water slides, public bathing beaches, and other swimming
14 facilities, which are substandard in one or more important
15 features of safety, cleanliness or sanitation. Such conditions
16 adversely affect the public health, safety and general welfare
17 of persons.

18 Therefore, the purpose of this Act is to protect, promote
19 and preserve the public health, safety and general welfare by
20 providing for the establishment and enforcement of minimum
21 standards for safety, cleanliness and general sanitation for
22 all swimming facilities, including swimming pools, spas, water
23 slides, public bathing beaches, and other aquatic features now

1 in existence or hereafter constructed, developed, or altered,
2 and to provide for inspection and licensing of all such
3 facilities.

4 (Source: P.A. 96-1081, eff. 7-16-10.)

5 (210 ILCS 125/3) (from Ch. 111 1/2, par. 1203)

6 Sec. 3. Definitions. As used in this Act, unless the
7 context otherwise requires, the terms specified in Sections
8 3.01 through 3.21 ~~3.13~~ have the meanings ascribed to them in
9 those Sections.

10 (Source: P.A. 96-1081, eff. 7-16-10.)

11 (210 ILCS 125/3.01) (from Ch. 111 1/2, par. 1203.01)

12 Sec. 3.01. Swimming pool. "Swimming Pool" means any
13 artificial basin of water which is modified, improved,
14 constructed or installed for the purpose of public swimming,
15 wading, floating, or diving, and includes: pools for community
16 use, pools at apartments, condominiums, and other groups or
17 associations having 5 or more living units, clubs, churches,
18 camps, schools, institutions, Y.M.C.A.'s, Y.W.C.A.'s, parks,
19 recreational areas, motels, hotels, health clubs, golf and
20 country clubs, and other commercial establishments. It does not
21 include pools at private single-family residences intended
22 only for the use of the owner and guests.

23 (Source: P.A. 92-18, eff. 6-28-01.)

1 (210 ILCS 125/3.02) (from Ch. 111 1/2, par. 1203.02)

2 Sec. 3.02. "Public Bathing Beach" means any body of water,
3 except as defined in Section 3.01, or that portion thereof used
4 for the purpose of public swimming or recreational bathing, and
5 includes beaches at: apartments, condominiums, subdivisions,
6 and other groups or associations having 5 or more living units,
7 clubs, churches, camps, schools, institutions, parks,
8 recreational areas, motels, hotels and other commercial
9 establishments. It includes shores, equipments, buildings and
10 appurtenances pertaining to such areas. It does not include
11 bathing beaches at private residences intended only for the use
12 of the owner and guests.

13 (Source: P.A. 78-1149.)

14 (210 ILCS 125/3.05) (from Ch. 111 1/2, par. 1203.05)

15 Sec. 3.05. "Person" means any individual, group of
16 individuals, association, trust, partnership, limited
17 liability company, corporation, person doing business under an
18 assumed name, county, municipality, the State of Illinois, or
19 any political subdivision or department thereof, or any other
20 entity.

21 (Source: P.A. 78-1149.)

22 (210 ILCS 125/3.10)

23 Sec. 3.10. Spa. "Spa" means a basin of water designed for
24 recreational or therapeutic use that is not drained, cleaned,

1 or refilled for each user. It may include hydrojet circulation,
2 hot water, cold water mineral bath, air induction bubbles, or
3 some combination thereof. It includes "therapeutic pools",
4 "hydrotherapy pools", "whirlpools", "cold spas", "hot spas",
5 and "hot tubs". It does not include these facilities at
6 individual single-family residences intended for use by the
7 occupant and his or her guests.

8 (Source: P.A. 92-18, eff. 6-28-01.)

9 (210 ILCS 125/3.12)

10 Sec. 3.12. Swimming facility. "Swimming Facility" means a
11 swimming pool, spa, public bathing beach, water slide, lazy
12 river, spray pool, or other aquatic feature and its
13 appurtenances, singular or aggregated together, that exists
14 for the purpose of providing recreation or therapeutic services
15 to the public. It does not include isolation or flotation
16 tanks.

17 (Source: P.A. 96-1081, eff. 7-16-10.)

18 (210 ILCS 125/3.13)

19 Sec. 3.13. Spray pool. "Spray pool" means an aquatic
20 feature ~~recreational facility~~ that is not a swimming pool and
21 that has structures or fittings for spraying, dumping, or
22 shooting water. The term does not include features ~~facilities~~
23 having as a source of water a public water supply that is
24 regulated by the Illinois Environmental Protection Agency or

1 the Illinois Department of Public Health and that has no
2 capacity to recycle water.

3 (Source: P.A. 96-1081, eff. 7-16-10.)

4 (210 ILCS 125/3.14 new)

5 Sec. 3.14. Prequalified architect or professional
6 engineer. "Prequalified architect" or "prequalified
7 professional engineer" means an individual who is prequalified
8 by the Department and is responsible for coordinating the
9 design, planning, and creation of specifications for swimming
10 facilities and for applying for a permit for construction or
11 major alteration.

12 (210 ILCS 125/3.15 new)

13 Sec. 3.15. Licensed swimming facility contractor.
14 "Licensed swimming facility contractor" means an individual
15 who is licensed by the Department to perform the construction,
16 installation, modification, or repair of a swimming facility
17 and its appurtenances.

18 (210 ILCS 125/3.16 new)

19 Sec. 3.16. Aquatic feature. "Aquatic feature" means any
20 swimming facility other than a swimming pool or spa or bathing
21 beach, including, but not limited to, a lazy river, water
22 slide, spray pool, or other swimming facility.

1 (210 ILCS 125/3.17 new)

2 Sec. 3.17. Lapsed fee. "Lapsed fee" means the amount
3 charged to a licensee for failing to renew a swimming facility
4 license within one year after the expiration of the license.
5 This fee is in addition to any other fees associated with
6 renewal of a swimming facility license.

7 (210 ILCS 125/3.18 new)

8 Sec. 3.18. Living unit. "Living unit" means a home, mobile
9 home, duplex unit, apartment unit, condominium unit, or any
10 dwelling unit in a multi-unit residential structure or a
11 campground lot.

12 (210 ILCS 125/3.19 new)

13 Sec. 3.19. Major alteration. "Major alteration" means any
14 change to a swimming facility or its aquatic features or
15 appurtenances that alters the facility's functionality or
16 as-built or as-permitted condition. It does not include
17 maintenance or minor repair or the replacement of equipment
18 with exactly matching components.

19 (210 ILCS 125/3.20 new)

20 Sec. 3.20. Subsequent inspection. "Subsequent inspection"
21 means any inspection made by the Department or its agents for
22 purposes of annual renewals, responding to a substantiated
23 complaint, complying with a request by the licensee or its

1 agent, or ensuring compliance with an order of the Department.
2 The term does not include initial inspections relating to
3 permitted construction, interim compliance inspections, or
4 Department inspections in a case in which no violations are
5 found.

6 (210 ILCS 125/3.21 new)

7 Sec. 3.21. Initial review. "Initial review" means the
8 first review of any submittal made by an applicant for a permit
9 for construction or major alteration, as provided for in
10 Section 5 of this Act.

11 (210 ILCS 125/4) (from Ch. 111 1/2, par. 1204)

12 Sec. 4. License to operate. After May 1, 2002, it shall be
13 unlawful for any person to open, establish, maintain or operate
14 a swimming facility within this State without first obtaining a
15 license therefor from the Department. Applications for
16 original licenses shall be made on forms furnished by the
17 Department. Each application to the Department shall be signed
18 by the applicant and accompanied by an affidavit of the
19 applicant as to the truth of the application ~~and, except in the~~
20 ~~case of an application by an organization incorporated under~~
21 ~~the General Not for Profit Corporation Act, as amended, by the~~
22 ~~payment of a license application fee of \$50. License fees are~~
23 ~~not refundable.~~ Each application shall contain: the name and
24 address of the applicant, or names and addresses of the

1 partners if the applicant is a partnership, or the name and
2 addresses of the officers if the applicant is a corporation or
3 the names and addresses of all persons having an interest
4 therein if the applicant is a group of individuals,
5 association, or trust; and the location of the swimming
6 facility. A license shall be valid only in the possession of
7 the person to whom it is issued and shall not be the subject of
8 sale, assignment, or other transfer, voluntary, or
9 involuntary, nor shall the license be valid for any premises
10 other than those for which originally issued. Upon receipt of
11 an application for an original license the Department shall
12 inspect such swimming facility to insure compliance with this
13 Act.

14 (Source: P.A. 96-1081, eff. 7-16-10.)

15 (210 ILCS 125/5) (from Ch. 111 1/2, par. 1205)

16 Sec. 5. Permit for construction or major alteration. No
17 swimming facility shall be constructed, developed, installed,
18 or altered in a major manner until plans, specifications, and
19 other information relative to such swimming facility and
20 appurtenant facilities as may be requested on forms provided by
21 the Department are submitted to and reviewed by the Department
22 and found to comply with minimum sanitary and safety
23 requirements and design criteria, and until a permit for the
24 construction or development is issued by the Department.
25 Permits are valid for a period of one year from date of issue.

1 They may be reissued upon application to the Department and
2 payment of the permit fee ~~as provided in this Act.~~

3 The fee to be paid by an applicant, ~~other than an~~
4 ~~organization incorporated under the General Not for Profit~~
5 ~~Corporation Act, as now or hereafter amended,~~ for a permit for
6 construction, development, major alteration, or installation
7 of each swimming facility shall be in accordance with Sections
8 8.1, 8.2, and 8.3 of this Act and is \$50, which shall accompany
9 such application. Permit applications shall be made by an
10 architect or professional engineer prequalified in accordance
11 with Section 30 of this Act. An application must include the
12 sealed technical submissions of the prequalified architect or
13 prequalified professional engineer responsible for the
14 application.

15 (Source: P.A. 96-1081, eff. 7-16-10.)

16 (210 ILCS 125/5.1 new)

17 Sec. 5.1. Permit applications; certification. Permit
18 applications shall be made by a prequalified architect or
19 prequalified professional engineer on forms provided by the
20 Department. An application must bear the signature of the
21 prequalified architect or prequalified professional engineer
22 responsible for the application, certifying that the
23 application meets the requirements of the rules, standards, and
24 applicable codes. Applications submitted prior to the adoption
25 of rules to implement the provisions of this amendatory Act of

1 the 97th General Assembly by the Department shall not require
2 the certification of a prequalified architect or prequalified
3 professional engineer. The requirements for permit
4 applications and plan certification by a prequalified
5 architect or prequalified professional engineer shall take
6 effect upon implementation of rules for the prequalification of
7 architects or professional engineers by the Department.

8 (210 ILCS 125/5.2 new)

9 Sec. 5.2. Plan resubmittal. If a permit application fails
10 to qualify for a permit for construction or major alteration
11 after review by the Department, it must be supplemented, within
12 30 days, by a plan resubmittal. If a plan resubmittal is not
13 submitted, the application for a permit shall be deemed null
14 and void. A plan resubmittal shall include, but need not be
15 limited to, revised plans, specifications, and other required
16 documentation sufficient to correct deficiencies in the
17 application and demonstrate compliance with the rules. A plan
18 resubmittal shall be submitted to the Department by a
19 prequalified architect or prequalified professional engineer
20 and shall be accompanied by a fee in accordance with Sections
21 8.1, 8.2, and 8.3 of this Act. Only one plan resubmittal may be
22 submitted within a 60-day period. The requirements for plan
23 resubmittals by a prequalified architect or prequalified
24 professional engineer shall take effect upon adoption of rules
25 to implement Section 30 of this Act.

1 (210 ILCS 125/6) (from Ch. 111 1/2, par. 1206)

2 Sec. 6. License renewal. Applications and fees for renewal
3 of the license shall be made in writing by the holder of the
4 license, on forms furnished by the Department, ~~and, except in~~
5 ~~the case of an application by an organization incorporated~~
6 ~~under the General Not for Profit Corporation Act, as now or~~
7 ~~hereafter amended,~~ shall be accompanied by a license
8 application fee in accordance with Sections 8.1, 8.2, and 8.3
9 of this Act ~~of \$50~~, which shall not be refundable, and shall
10 contain any change in the information submitted since the
11 original license was issued or the latest renewal granted. In
12 addition to any other fees required under this Act, a late fee
13 in accordance with Sections 8.1, 8.2, and 8.3 of this Act ~~of~~
14 ~~\$20~~ shall be charged when any renewal application is received
15 by the Department after the license has expired; ~~however,~~
16 ~~educational institutions and units of State or local government~~
17 ~~shall not be required to pay late fees.~~ If, after inspection,
18 the Department is satisfied that the swimming facility is in
19 substantial compliance with the provisions of this Act and the
20 rules ~~and regulations~~ issued thereunder, the Department shall
21 issue the renewal license.

22 (Source: P.A. 96-1081, eff. 7-16-10.)

23 (210 ILCS 125/8) (from Ch. 111 1/2, par. 1208)

24 Sec. 8. Payment of fees; display of licenses. All fees and

1 penalties generated under the authority of this Act shall be
2 deposited into the Facility Licensing Fund and, subject to
3 appropriation, shall be used by the Department in the
4 administration of this Act. All fees and penalties shall be
5 submitted in the form of a check or money order, or by other
6 means authorized by the Department. All licenses provided for
7 in this Act shall be displayed in a conspicuous place for
8 public view, within or on such premises. In case of revocation
9 or suspension, the licensee ~~owner or operator or both~~ shall
10 cause the license to be removed and to post the notice of
11 revocation or suspension issued by the Department. Fees for a
12 permit for construction or major alteration, an original
13 license, and a plan resubmittal shall be determined by the
14 total water surface area of the swimming facility, except that
15 special features and bathing beaches shall be charged a fixed
16 fee regardless of water surface area. License renewal fees
17 shall be determined by the total water surface area of the
18 swimming facility, except that special features and bathing
19 beaches shall be charged a fixed fee regardless of water
20 surface area. Late renewal, lapsed, initial inspection, and
21 subsequent inspection fees shall be fixed fees regardless of
22 water surface area.

23 Fees shall be determined in accordance with the ownership
24 designation of the swimming facility at the time of
25 application.

26 (Source: P.A. 96-1081, eff. 7-16-10.)

1 (210 ILCS 125/8.1 new)
 2 Sec. 8.1. Fee schedule for all licensees except certain
 3 tax-exempt organizations, governmental units, and public
 4 elementary and secondary schools. The fee schedule for all
 5 licensees, except those specifically identified in Sections
 6 8.2 and 8.3 of this Act, shall be as follows:

7	<u>Water Surface</u>	<u>Construction</u>	<u>Major</u>	<u>Plan</u>
8	<u>Area or Other</u>	<u>Permit Fee</u>	<u>Alteration Fee</u>	<u>Resubmittal</u>
9	<u>Feature</u>			<u>Fee</u>
10	<u>0-500 sq ft</u>	<u>\$625</u>	<u>\$310</u>	<u>\$200</u>
11	<u>501-1,000 sq ft</u>	<u>\$1,250</u>	<u>\$625</u>	<u>\$200</u>
12	<u>1,001-2,000 sq</u>	<u>\$1,500</u>	<u>\$750</u>	<u>\$200</u>
13	<u>ft</u>			
14	<u>2,001 sq ft and</u>	<u>\$1,950</u>	<u>\$975</u>	<u>\$200</u>
15	<u>up</u>			
16	<u>Aquatic Feature</u>	<u>\$625</u>	<u>\$310</u>	<u>\$200</u>
17	<u>Bathing Beach</u>	<u>\$625</u>	<u>\$310</u>	<u>\$200</u>
18	<u>Water Surface Area or Other</u>		<u>Original License and License</u>	
19	<u>Feature</u>		<u>Renewal Fee</u>	
20	<u>0-500 sq ft</u>		<u>\$150</u>	
21	<u>501-1,000 sq ft</u>		<u>\$300</u>	
22				
23	<u>2,001 sq ft and up</u>		<u>\$500</u>	

1	<u>Aquatic Feature</u>	<u>\$150</u>
2	<u>Bathing Beach</u>	<u>\$150</u>
3	<u>Late Renewal Fee</u>	<u>\$100</u>
4	<u>Lapsed Fee</u>	<u>\$150</u>
5	<u>Inspections</u>	<u>Fee</u>
6	<u>Initial Inspection</u>	<u>\$150</u>
7	<u>Subsequent Inspection</u>	<u>\$75</u>

8 All fees set forth in this Section shall be charged on a
 9 per-swimming-facility or per-aquatic-feature basis, unless
 10 otherwise noted.

11 (210 ILCS 125/8.2 new)

12 Sec. 8.2. Fee schedule for certain tax-exempt
 13 organizations. The fee schedule for a licensee that is an
 14 organization recognized by the United States Internal Revenue
 15 Service as tax-exempt under Title 26 of the United States Code,
 16 Section 501(c) (3) shall be as follows:

17	<u>Water Surface</u>	<u>Construction</u>	<u>Major Alteration</u>	<u>Plan</u>
18	<u>Area or Other</u>	<u>Permit Fee</u>	<u>Fee</u>	<u>Resubmittal</u>
19	<u>Feature</u>			<u>Fee</u>
20	<u>0-500 sq ft</u>	<u>\$150</u>	<u>\$50</u>	<u>\$200</u>
21	<u>501-1,000 sq ft</u>	<u>\$150</u>	<u>\$50</u>	<u>\$200</u>
22	<u>1,001-2,000 sq ft</u>	<u>\$150</u>	<u>\$50</u>	<u>\$200</u>

1	<u>2,001 sq ft and</u>	<u>\$150</u>	<u>\$200</u>	<u>\$200</u>
2	<u>up</u>			
3	<u>Aquatic Feature</u>	<u>\$600</u>	<u>\$300</u>	<u>\$200</u>
4	<u>Bathing Beach</u>	<u>\$150</u>	<u>\$50</u>	<u>\$200</u>
5	<u>Water Surface Area or Other</u>		<u>Original License and License</u>	
6	<u>Feature</u>		<u>Renewal Fee</u>	
7	<u>0-500 sq ft</u>		<u>\$0</u>	
8	<u>501-1,000 sq ft</u>		<u>\$0</u>	
9	<u>1,001-2,000 sq ft</u>		<u>\$0</u>	
10	<u>2,001 sq ft and up</u>		<u>\$0</u>	
11	<u>Aquatic Feature</u>		<u>\$75</u>	
12	<u>Bathing Beach</u>		<u>\$75</u>	
13	<u>Late Renewal Fee</u>		<u>\$50</u>	
14	<u>Lapsed Fee</u>		<u>\$75</u>	
15	<u>Inspections</u>		<u>Fee</u>	
16	<u>Initial Inspection</u>		<u>\$0</u>	
17	<u>Subsequent Inspection</u>		<u>\$100</u>	

18 All fees set forth in this Section shall be charged on a
19 per-swimming-facility or per-aquatic-feature basis.

20 (210 ILCS 125/8.3 new)

21 Sec. 8.3. Fee schedule for certain governmental units and
22 schools. The fee schedule for a licensee that is a unit of

1 State or local government or a public elementary or secondary
 2 school shall be as follows:

3	<u>Water Surface</u>	<u>Construction</u>	<u>Major Alteration</u>	<u>Plan</u>
4	<u>Area or Other</u>	<u>Permit Fee</u>	<u>Permit Fee</u>	<u>Resubmittal</u>
5	<u>Feature</u>			<u>Fee</u>
6	<u>0-500 sq ft</u>	<u>\$0</u>	<u>\$0</u>	<u>\$200</u>
7	<u>501-1,000 sq ft</u>	<u>\$0</u>	<u>\$0</u>	<u>\$200</u>
8	<u>1,001-2,000 sq ft</u>	<u>\$0</u>	<u>\$0</u>	<u>\$200</u>
9	<u>2,001 sq ft and</u>	<u>\$0</u>	<u>\$0</u>	<u>\$200</u>
10	<u>up</u>			
11	<u>Aquatic Feature</u>	<u>\$600</u>	<u>\$300</u>	<u>\$200</u>
12	<u>Bathing Beach</u>	<u>\$0</u>	<u>\$0</u>	<u>\$200</u>
13	<u>Water Surface Area or Other</u>		<u>Original License and License</u>	
14	<u>Feature</u>		<u>Renewal Fee</u>	
15	<u>0-500 sq ft</u>		<u>\$0</u>	
16	<u>501-1,000 sq ft</u>		<u>\$0</u>	
17	<u>1,001-2,000 sq ft</u>		<u>\$0</u>	
18	<u>2,001 sq ft and up</u>		<u>\$0</u>	
19	<u>Special Feature</u>		<u>\$0</u>	
20	<u>Bathing Beach</u>		<u>\$0</u>	
21	<u>Late Renewal Fee</u>		<u>\$50</u>	
22	<u>Lapsed Fee</u>		<u>\$75</u>	
23	<u>Inspections</u>		<u>Fee</u>	

1	<u>Initial Inspection</u>	<u>\$0</u>
2	<u>Subsequent Inspection</u>	<u>\$100</u>

3 Construction permit fees and major alteration permit fees
4 set forth in this Section shall be due only if the Department
5 produces an initial review within 60 days after receipt of the
6 application. Aquatic feature construction permit and major
7 alteration permit fees shall be charged at the rates set forth
8 in this Section per feature when the number of such features is
9 greater than one. All other fees set forth in this Section
10 shall be charged on a per-swimming-facility or
11 per-aquatic-feature basis.

12 (210 ILCS 125/9) (from Ch. 111 1/2, par. 1209)

13 Sec. 9. Inspections. Subject to constitutional
14 limitations, the Department, by its representatives, after
15 proper identification, is authorized and shall have the power
16 to enter at reasonable times upon private or public property
17 for the purpose of inspecting and investigating conditions
18 relating to the enforcement of this Act and regulations issued
19 hereunder. Written notice of all violations shall be given to
20 each person against whom a violation is alleged ~~the owners,~~
21 ~~operators and licensees of swimming facilities.~~

22 (Source: P.A. 92-18, eff. 6-28-01.)

23 (210 ILCS 125/11) (from Ch. 111 1/2, par. 1211)

1 Sec. 11. Department's agents. The Department may designate
2 certified local health departments as its agents for purposes
3 of carrying out this Act. An agent so designated may charge
4 fees, as prescribed by this Act, for costs associated with
5 enforcing this Act. When the Department and its agent perform
6 initial or subsequent inspections of the same swimming
7 facility, the fee for the inspection shall be paid to the
8 agent, except that in cases in which one or more violations are
9 found or in which the Department is assisting the agent in the
10 enforcement of an order, the Department may require a fee to be
11 paid both to the Department and to the agent ~~full-time~~
12 ~~Municipal, District, County or multiple County Health~~
13 ~~Departments as its agents in making inspections and~~
14 ~~investigations.~~

15 (Source: P.A. 78-1149.)

16 (210 ILCS 125/13) (from Ch. 111 1/2, par. 1213)

17 Sec. 13. Rules. The Department shall promulgate, publish,
18 adopt and amend such rules as may be necessary for the proper
19 enforcement of this Act, to protect the health and safety of
20 the public using swimming facilities ~~such pools and beaches,~~
21 ~~spas,~~ and their ~~other~~ appurtenances, and may, when necessary,
22 utilize the services of any other state agencies to assist in
23 carrying out the purposes of this Act. These rules shall
24 include but are not limited to design criteria for swimming
25 facility areas and bather preparation facilities, standards

1 relating to sanitation, cleanliness, plumbing, water supply,
2 sewage and solid waste disposal, design and construction of all
3 equipment, buildings, rodent and insect control, communicable
4 disease control, safety and sanitation of appurtenant swimming
5 facilities. The rules must include provisions for the
6 prevention of bather entrapment or entanglement at new and
7 existing swimming facilities. Bather preparation facilities
8 consisting of dressing room space, toilets and showers shall be
9 available for use of patrons of swimming facilities, except as
10 provided by Department rules.

11 (Source: P.A. 96-1081, eff. 7-16-10.)

12 (210 ILCS 125/14) (from Ch. 111 1/2, par. 1214)

13 Sec. 14. Violations; notice. Whenever the Department
14 determines that there are reasonable grounds to believe that
15 there has been a violation of any provision of this Act or the
16 rules issued hereunder, the Department shall give notice of
17 such alleged violation to the person against whom the violation
18 is alleged ~~to whom the license was issued~~, as herein provided.

19 Such notice shall:

20 (a) be in writing;

21 (b) include a reference to the particular Sections of
22 the Act or rules involved ~~a statement of the reasons for~~
23 ~~the issuance of the notice;~~

24 (c) include a short and plain statement of the matters
25 asserted, the consequences of a failure to respond, and the

1 official file or other reference number (blank); and

2 (d) be served personally or by certified or registered
3 mail or as otherwise provided by law upon the person
4 against whom the violation is alleged or his or her agent.

5 ~~be served upon the owner, operator or licensee as the case~~
6 ~~may require; provided that such notice or order shall be~~
7 ~~deemed to have been properly served upon such owner,~~
8 ~~operator or licensee when a copy thereof has been sent by~~
9 ~~registered or certified mail to his last known address as~~
10 ~~furnished to the Department; or, when he has been served~~
11 ~~with such notice by any other method authorized by the laws~~
12 ~~of this State;~~

13 (e) (blank).

14 (Source: P.A. 96-1081, eff. 7-16-10.)

15 (210 ILCS 125/15.1)

16 Sec. 15.1. Violations at facilities; penalties; plan of
17 correction.

18 (a) If the Department finds violations at swimming
19 facilities requiring licensure under this Act, the Department
20 shall issue a written report or notice of the violations. In
21 accordance with subsections (b), (c), and (d), each violation
22 shall be categorized as either Type "A", Type "B", or Type "C".

23 (b) Type "A" Violation. The situation, condition, or
24 practice constituting a Type "A" violation shall be abated or
25 eliminated immediately. A Type "A" violation not corrected

1 during an inspection or within another timeframe provided by
2 the Department, not to exceed 48 hours, shall become a Type "B"
3 violation. , unless a fixed period of time, not exceeding 10
4 days, as determined by the Department and specified in the
5 notice of violation or inspection report, is required for
6 correction.

7 Type "A" violations shall include, but not be limited to:

8 (1) Inoperable gauges or flowmeters.

9 (2) The failure to provide a warning sign as required
10 by rules ~~The failure to maintain appropriate water quality~~
11 ~~within 20% of standard.~~

12 (3) The failure to maintain required water quality
13 within standards set forth in Section 820.320 of Title 77
14 of the Illinois Administrative Code ~~The failure to maintain~~
15 ~~or provide operation reports.~~

16 (4) The failure to properly secure the pool area or the
17 equipment/storage area ~~The failure to provide and maintain~~
18 ~~necessary safety equipment prescribed by rule.~~

19 (5) The failure to conduct required water quality and
20 equipment testing and record results in daily operational
21 reports ~~The failure to maintain cleanliness of the facility~~
22 ~~(cracks, leaks, lint, dirt, and sediment).~~

23 (6) The failure to obey assigned bather load ~~The~~
24 ~~improper use of starting platforms.~~

25 (7) The failure to properly display a
26 Department-issued license ~~The failure to maintain~~

1 ~~equipment in proper work order (including, but not limited~~
2 ~~to, skimmers, pumps, and chlorinators), such that the~~
3 ~~public is not endangered.~~

4 (8) The failure to post Patron Regulations and Bather
5 Load signs.

6 (c) Type "B" Violation. The situation, condition, or
7 practice constituting a Type "B" violation shall be abated or
8 eliminated immediately, unless a fixed period of time, not
9 exceeding 10 days, as determined by the Department and
10 specified in the notice of violation or inspection report, is
11 required for correction. ~~At the time of issuance of a notice of~~
12 ~~a Type "B" violation, the Department shall request a plan of~~
13 ~~correction that is subject to the Department's approval. The~~
14 ~~facility shall have 10 days after receipt of a notice of~~
15 ~~violation in which to prepare and submit a plan of correction.~~
16 ~~The Department may extend this period up to 30 days where~~
17 ~~correction involves substantial capital improvement. The plan~~
18 ~~shall include a fixed time period, not to exceed 90 days,~~
19 ~~within which violations are to be corrected. If the Department~~
20 ~~rejects a plan of correction, it shall send notice of the~~
21 ~~rejection and the reason for the rejection to the facility. The~~
22 ~~facility shall have 10 days after receipt of the notice of~~
23 ~~rejection in which to submit a modified plan. If the modified~~
24 ~~plan is not timely submitted, or if the modified plan is~~
25 ~~rejected, the facility shall follow an approved plan of~~
26 ~~correction imposed by the Department.~~

1 Type "B" violations shall include, but not be limited to:

2 (1) The continued failure to conduct required water
3 quality and equipment testing and record results in daily
4 operational reports ~~Ongoing repeat Type "A" violations not~~
5 ~~corrected in accordance with a notice or inspection report.~~

6 (2) The failure to maintain cleanliness of the facility
7 (such as allowing cracks, leaks, lint, dirt, sediment, and
8 so forth) ~~The failure to submit a Drowning and Injury~~
9 ~~Report within 24 hours.~~

10 (3) The improper use of starting platforms ~~The failure~~
11 ~~to provide a lifeguard or a warning sign as required by the~~
12 ~~rules.~~

13 (4) The failure to maintain equipment (including, but
14 not limited to, skimmers, pumps, and chlorinators) in
15 proper work order, such that the public is not endangered
16 ~~The failure to maintain water quality in accordance with~~
17 ~~Section 820.320 of Title 77 of the Illinois Administrative~~
18 ~~Code, and in excess of that allowed for in a Type "A"~~
19 ~~violation.~~

20 (5) The repeated failure to maintain water quality in
21 accordance with Section 820.320 of Title 77 of the Illinois
22 Administrative Code ~~The failure to properly secure the pool~~
23 ~~area or the equipment/storage area.~~

24 (6) Ongoing repeat Type "A" violations not corrected in
25 accordance with a notice or inspection report ~~The failure~~
26 ~~to maintain any operational reports.~~

1 (7) The failure to submit a Drowning and Injury Report
2 within 24 hours ~~The failure to obey assigned bather load.~~

3 ~~(8) The failure to properly display a~~
4 ~~Department-issued license.~~

5 (d) Type "C" Violation. Type "C" violations include those
6 violations that may lead to serious injury or death of patrons,
7 employees, or the general public. Upon finding a Type "C"
8 violation ~~at a facility~~, the Department shall immediately take
9 such actions as necessary to protect public health, including,
10 but not limited to, ordering the immediate closure of a ~~the~~
11 facility, ordering the abatement of conditions deemed
12 dangerous by the Department, or ordering the cessation of any
13 practice deemed dangerous or improper by the Department.

14 Type "C" violations shall include, but not be limited to:

15 (1) The failure to obtain a license prior to operating.

16 (2) The failure to construct the swimming facility ~~pool~~
17 in accordance with the Department-issued permit to
18 construct.

19 (3) The failure to secure a permit to alter the
20 swimming facility ~~pool~~.

21 (4) The failure to close the swimming facility ~~pool~~ in
22 accordance with the rules.

23 (5) The failure to obey any lawful order of the
24 Department.

25 (6) The failure to provide access to the swimming
26 facility by the Department or any duly appointed agent

1 thereof.

2 (7) The failure to post and maintain a
3 Department-issued closure order.

4 (8) Operating the swimming facility in a manner that
5 results in imminent danger to the public.

6 (9) Submitting fraudulent documentation to the
7 Department or a duly appointed agent thereof.

8 (10) The failure to comply with a Department-approved
9 or Department-imposed plan of correction.

10 (11) Making repairs or alterations in a manner not in
11 accordance with rules.

12 (12) The failure to provide a lifeguard as required by
13 rules.

14 ~~(e) In determining whether a penalty is to be imposed and~~
15 ~~in fixing the amount of the penalty to be imposed, if any, for~~
16 ~~a violation, the Director shall consider the following factors:~~

17 ~~(1) The gravity of the violation, including the~~
18 ~~probability that death or serious physical harm to the~~
19 ~~public will result or has resulted; the severity of the~~
20 ~~actual or potential harm; and the extent to which the~~
21 ~~provisions of the applicable statutes or regulations were~~
22 ~~violated.~~

23 ~~(2) The reasonable diligence exercised by the licensee~~
24 ~~and efforts to correct violations.~~

25 ~~(3) Any previous violations committed by the licensee.~~

26 ~~(4) The financial benefit to the facility for~~

1 ~~committing or continuing the violation.~~

2 Type "A" violations shall carry no penalty provided they
3 are corrected within the terms set forth by this Act and in
4 accordance with the rules established under this Act. Type "B"
5 violations shall ~~may~~ be assessed a penalty of \$25 per day for
6 each day the violation exists. Type "C" violations shall ~~may~~ be
7 assessed a penalty of \$100 per day for each day the violation
8 exists, in addition to any other penalties provided for by law.

9 (f) Plan of correction. At the time of issuance of a notice
10 of any violation, the Department shall request from the
11 facility a plan of correction that is subject to the
12 Department's approval. The facility shall have 10 days after
13 receipt of a notice of violation in which to prepare and submit
14 a plan of correction. The Department may extend this period up
15 to 30 days if correction involves substantial capital
16 improvement. The plan shall include a fixed time period, not to
17 exceed 90 days, within which violations are to be corrected.

18 If the Department rejects a plan of correction, it shall
19 send notice of the rejection and the reason for the rejection
20 to the facility. The facility shall have 10 days after receipt
21 of the notice of rejection in which to submit a modified plan.
22 If the modified plan is not timely submitted, or if the
23 modified plan is rejected, the facility shall follow an
24 approved plan of correction imposed by the Department.

25 (Source: P.A. 96-1081, eff. 7-16-10.)

1 (210 ILCS 125/17) (from Ch. 111 1/2, par. 1217)

2 Sec. 17. Subpoenas; witness fees. The Director or Hearing
3 Officer may compel by subpoena or subpoena duces tecum the
4 attendance and testimony of witnesses and the production of
5 records or documents either in electronic or paper form ~~books~~
6 ~~and papers~~ and administer oaths to witnesses. All subpoenas
7 issued by the Director or Hearing Officer may be served as
8 provided for in a civil action.

9 The fees of witnesses for attendance and travel shall be
10 the same as the fees for witnesses before the circuit court and
11 shall be paid by the party to such proceeding at whose request
12 the subpoena is issued. If such subpoena is issued at the
13 request of the Department, the witness fee shall be paid as an
14 administrative expense.

15 In cases of refusal of a witness to attend or testify, or
16 to produce books or papers, concerning any matter upon which he
17 might be lawfully examined, the circuit court of the county
18 where the hearing is held, upon application of any party to the
19 proceeding, may compel obedience by proceeding as for contempt.

20 (Source: P.A. 83-334.)

21 (210 ILCS 125/20) (from Ch. 111 1/2, par. 1220)

22 Sec. 20. Judicial review. The Department is not required to
23 certify any record or file any answer or otherwise appear in
24 any proceeding for judicial review unless there is filed in the
25 court with the complaint a receipt from the Department

1 acknowledging payment of the costs of furnishing and certifying
2 the record, which costs shall be computed at the rate of \$1 per
3 page of such record ~~the party filing the complaint deposits~~
4 ~~with the clerk of the court the sum of \$1 per page representing~~
5 ~~costs of such certification.~~ Failure on the part of the
6 plaintiff to make such deposit shall be grounds for dismissal
7 of the action. The Department may charge \$0.25 per each 8.5" x
8 11" page, whether paper or electronic, for copies of records
9 held by the Department pursuant to this Act. For documents
10 larger than 8.5" x 11", actual copying charges plus \$0.25 per
11 page shall apply.

12 (Source: P.A. 82-1057.)

13 (210 ILCS 125/21) (from Ch. 111 1/2, par. 1221)

14 Sec. 21. Closure of facility. Whenever the Department finds
15 any violation of this Act or the rules promulgated under this
16 Act, if the violation presents an emergency or risk to public
17 health, the Department shall, without prior notice or hearing,
18 issue a written notice, immediately order the owner, operator,
19 or licensee to close the swimming facility and to prohibit any
20 person from using such facilities. Notwithstanding any other
21 provisions in this Act, such order shall be effective
22 immediately.

23 The notice shall state the reasons prompting the closing of
24 the facilities and a copy of the notice must be posted
25 conspicuously at the pool or beach by the owner, operator or

1 licensee.

2 The Attorney General and the State's Attorney and Sheriff
3 of the county in which the swimming facility is located shall
4 enforce the closing order after receiving notice thereof.

5 Any owner, operator or licensee affected by such an order
6 is entitled, upon written request to the Department, to a
7 hearing as provided in this Act.

8 When such violations are abated in the opinion of the
9 Department, the Department may authorize reopening the
10 swimming facility.

11 (Source: P.A. 96-1081, eff. 7-16-10.)

12 (210 ILCS 125/22) (from Ch. 111 1/2, par. 1222)

13 Sec. 22. Criminal penalties. Any person who violates this
14 Act or any rule ~~or regulation~~ adopted by the Department, or who
15 violates any determination or order of the Department under
16 this Act, shall be guilty of a Class A misdemeanor punishable
17 by a fine of \$1,000 for each day the violation exists, in
18 addition to civil penalties, or up to 6 months imprisonment, or
19 both a fine and imprisonment.

20 Each day's violation constitutes a separate offense. The
21 State's Attorney of the county in which the violation occurred,
22 or the Attorney General shall bring such actions in the name of
23 the people of the State of Illinois, ~~or may in addition to~~
24 ~~other remedies provided in this Act, bring action for an~~
25 ~~injunction to restrain such violation, or to enjoin the~~

1 ~~operation of any such establishment.~~

2 (Source: P.A. 78-1149.)

3 (210 ILCS 125/22.2 new)

4 Sec. 22.2. Civil enforcement. The Department may impose
5 administrative civil penalties for violations of this Act and
6 the rules promulgated thereunder, pursuant to rules for such
7 penalties adopted by the Department. The State's Attorney of
8 the county in which the violation occurred, or the Attorney
9 General, shall bring actions for collection of penalties
10 imposed under this Section in the name of the people of the
11 State of Illinois. The State's Attorney or Attorney General
12 may, in addition to other remedies provided in this Act, bring
13 an action (i) for an injunction to restrain the violation, (ii)
14 to impose civil penalties (if no penalty has been imposed by
15 the Department), or (iii) to enjoin the operation of any such
16 person or establishment.

17 (210 ILCS 125/23) (from Ch. 111 1/2, par. 1223)

18 Sec. 23. Applicability of Act. Nothing in this Act shall be
19 construed to exclude the State of Illinois and Departments and
20 educational institutions thereof and units of local government
21 except that the provisions in this Act for fees or late fees
22 for licenses and permits, and the provisions for fine and
23 imprisonment shall not apply to the State of Illinois, to
24 Departments and educational institutions thereof, ~~or units of~~

1 ~~local government~~. This Act shall not apply to beaches operated
2 by units of local government located on Lake Michigan.

3 (Source: P.A. 96-1081, eff. 7-16-10.)

4 (210 ILCS 125/27) (from Ch. 111 1/2, par. 1227)

5 Sec. 27. Adoption of ordinances. Any unit of government
6 having a certified local ~~full-time municipal, district, county~~
7 ~~or multiple county~~ health department and which employs full
8 time a ~~physician licensed in Illinois to practice medicine in~~
9 ~~all its branches and a~~ professional engineer, registered in
10 Illinois, with a minimum of 2 years' experience in
11 environmental health, may administer and enforce this Act by
12 adopting an ordinance electing to administer and enforce this
13 Act and adopting by reference the rules ~~and regulations~~
14 promulgated and amended from time to time by the Department
15 under authority of this Act.

16 A unit of local government that so qualified and elects to
17 administer and enforce this Act shall furnish the Department a
18 copy of its ordinance and the names and qualifications of the
19 employees required by this Act. The unit of local government
20 ordinance shall then prevail in lieu of the state licensure ~~fee~~
21 and inspection program with the exception of Section 5 of this
22 Act which provides for permits for construction or major
23 alteration, and Sections 5.1, 5.2, 30, and 31, development and
24 ~~installation,~~ which provisions shall continue to be
25 administered by the Department. With the exception of permits

1 as provided for in Section 5 of this Act, a unit of local
2 government may collect fees, as prescribed in this Act, for
3 administration of ordinances adopted pursuant to this Section.

4 Units of local government shall require such State permits as
5 provided in Section 5 prior to issuing licenses for swimming
6 facilities constructed, ~~developed, installed,~~ or altered in a
7 major manner in accordance with this Act ~~after the effective~~
8 ~~date of this Act.~~

9 Not less than once each year the Department shall evaluate
10 each unit of local government's licensing and inspection
11 program to determine whether such program is being operated and
12 enforced in accordance with this Act and the rules and
13 regulations promulgated thereunder. If the Department finds,
14 after investigation, that such program is not being enforced
15 within the provisions of this Act or the rules and regulations
16 promulgated thereunder, the Director shall give written notice
17 of such findings to the unit of government. If the Department
18 finds, not less than 30 days after ~~of~~ such given notice, that
19 the program is not being conducted and enforced within the
20 provisions of this Act or the rules ~~and regulations~~ promulgated
21 thereunder, the Director shall give written notice to the unit
22 of government that its authority to administer this Act is
23 revoked. Any unit of government whose authority to administer
24 this Act is revoked may request an administrative hearing as
25 provided in this Act. If the unit of government fails to
26 request a hearing within 15 days after receiving the notice or

1 if, after such hearing, the Director confirms the revocation,
2 all swimming facilities then operating under such unit of
3 government shall be immediately subject to the State licensure
4 fee and inspection program, until such time as the unit of
5 government is again authorized by the Department to administer
6 and enforce this Act.

7 (Source: P.A. 92-18, eff. 6-28-01.)

8 (210 ILCS 125/30 new)

9 Sec. 30. Prequalified architect or prequalified
10 professional engineer.

11 (a) Any person responsible for designing, planning, and
12 creating specifications for swimming facilities and for
13 applying for a permit for construction or major alteration of a
14 swimming facility must be an architect or professional engineer
15 prequalified by the Department. A prequalified architect or
16 prequalified professional engineer must be registered and in
17 good standing with the Illinois Department of Financial and
18 Professional Regulation and must possess public swimming
19 facility design experience as determined by rules promulgated
20 by the Department. Persons seeking prequalification pursuant
21 to this Section shall apply for prequalification pursuant to
22 rules adopted by the Department.

23 (b) In addition to any other power granted in this Act to
24 adopt rules, the Department may adopt rules relating to the
25 issuance or renewal of the prequalification of an architect or

1 professional engineer or the suspension of the
2 prequalification of any such person or entity, including,
3 without limitation, an interim or emergency suspension without
4 a hearing founded on any one or more of the bases set forth in
5 this subsection.

6 The bases for an interim or emergency suspension of the
7 prequalification of an architect or professional engineer
8 include, but are not limited to, the following:

9 (1) A finding by the Department that the public
10 interest, safety, or welfare requires a summary suspension
11 of the prequalification without a hearing.

12 (2) The occurrence of an event or series of events
13 which, in the Department's opinion, warrants a summary
14 suspension of the prequalification without a hearing. Such
15 events include, without limitation: (i) the indictment of
16 the holder of the prequalification by a State or federal
17 agency or another branch of government for a crime; (ii)
18 the suspension of a license or prequalification by another
19 State agency or by a federal agency or another branch of
20 government after a hearing; (iii) failure to comply with
21 State law, including, without limitation, this Act and the
22 rules promulgated thereunder; and (iv) submission of
23 fraudulent documentation or the making of false statements
24 to the Department.

25 (c) If a prequalification is suspended by the Department
26 without a hearing for any reason set forth in this Section or

1 in Section 10-65 of the Illinois Administrative Procedure Act,
2 the Department, within 30 days after the issuance of an order
3 of suspension of the prequalification, shall initiate a
4 proceeding for the suspension of or other action upon the
5 prequalification.

6 (d) An applicant for prequalification under this Section
7 must, at a minimum, be licensed in Illinois as a professional
8 engineer or architect in accordance with the Professional
9 Engineering Practice Act of 1989 or the Illinois Architecture
10 Practice Act of 1989.

11 (210 ILCS 125/31 new)

12 Sec. 31. Prequalified swimming facility contractor.

13 (a) Any person seeking to perform construction,
14 installation, modification, or repair of a swimming facility
15 must be prequalified by the Department. A prequalified swimming
16 facility contractor must be registered and in good standing
17 with the Secretary of State and possess public swimming
18 facility construction experience as determined by rules
19 promulgated by the Department. Persons seeking
20 prequalification pursuant to this Section shall apply for
21 prequalification pursuant to rules adopted by the Department.

22 (b) In addition to any other power granted in this Act to
23 adopt rules, the Department may adopt rules relating to the
24 issuance or renewal of the prequalification of a swimming
25 facility contractor or the suspension of the prequalification

1 of any such person or entity, including, without limitation, an
2 interim or emergency suspension without a hearing founded on
3 any one or more of the bases set forth in this subsection.

4 The bases for an interim or emergency suspension of the
5 prequalification of a swimming facility contractor include,
6 but are not limited to, the following:

7 (1) A finding by the Department that the public
8 interest, safety, or welfare requires a summary suspension
9 of the prequalification without a hearing.

10 (2) The occurrence of an event or series of events
11 which, in the Department's opinion, warrants a summary
12 suspension of the prequalification without a hearing. Such
13 events include, without limitation: (i) the indictment of
14 the holder of the prequalification by a State or federal
15 agency or an other branch of government for a crime; (ii)
16 the suspension or modification of a license by another
17 State agency or by a federal agency or another branch of
18 government after a hearing; (iii) failure to comply with
19 State law, including, without limitation, this Act and the
20 rules promulgated thereunder; and (iv) submission of
21 fraudulent documentation or the making of false statements
22 to the Department.

23 (c) If a prequalification is suspended by the Department
24 without a hearing for any reason set forth in this Section or
25 in Section 10-65 of the Illinois Administrative Procedure Act,
26 the Department, within 30 days after the issuance of an order

1 of suspension of the prequalification, shall initiate a
2 proceeding for the suspension of or other action upon the
3 prequalification.

4 (210 ILCS 125/32 new)

5 Sec. 32. Service animals. It is the duty of any swimming
6 facility licensed under this Act to allow the use of service
7 animals as defined and prescribed in 28 C.F.R. 35.104, 28
8 C.F.R. 35.136, 28 C.F.R. 35.139, 28 C.F.R. 36.104, 28 C.F.R.
9 208, and 28 C.F.R. 302(c), et. seq. if the service animal has
10 been trained to perform a specific task or work, in the water,
11 and the use of such animal does not pose a direct threat to the
12 health and safety of the patrons of the facility or the
13 function or sanitary conditions of the facility. Any use of a
14 licensed swimming facility by an animal other than a service
15 animal as authorized under this Section is prohibited.

16 Section 99. Effective date. This Act takes effect January
17 1, 2013.

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6 210 ILCS 125/3.02 from Ch. 111 1/2, par. 1203.02
7 210 ILCS 125/3.05 from Ch. 111 1/2, par. 1203.05
8 210 ILCS 125/3.10
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11 210 ILCS 125/3.14 new
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16 210 ILCS 125/3.19 new
17 210 ILCS 125/3.20 new
18 210 ILCS 125/3.21 new
19 210 ILCS 125/4 from Ch. 111 1/2, par. 1204
20 210 ILCS 125/5 from Ch. 111 1/2, par. 1205
21 210 ILCS 125/5.1 new
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